



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**WILL WILSON  
ATTORNEY GENERAL**

July 15, 1959

Honorable D. C. Greer  
State Highway Engineer  
Texas Highway Department  
Austin 14, Texas

Opinion No. WW-666

Re: Whether Certificates  
of Number of motor-  
boats issued by the  
Texas Highway Depart-  
ment pursuant to  
House Bill 11, Acts  
of the 56th Legisla-  
ture, Regular Session,  
1959, Chapter 179,  
Page 369, are valid  
for a two year or three  
year period.

Dear Mr. Greer:

In your recent letter you have propounded the following question to this office for an opinion: Whether Certificates of Number issued by the Texas Highway Department are valid for a period of three years or for a period of two years.

House Bill 11, Acts of the 56th Legislature, Regular Session, 1959, Chapter 179, Page 369, provides for the registration of motorboats with the Texas Highway Department. The pertinent sections of the Act are as follows:

"Sec. 4.(f) Every Certificate of Number awarded pursuant to this Act shall continue in full force and effect for a period of three (3) years unless sooner terminated or discontinued in accordance with the provision of this Act. Certificates of Number shall be valid for the biennium from April 1 of one year to March 31 of the second succeeding year, both days inclusive."

"Sec. 17.(a) There is hereby levied a three (3) year fee in Section 4 of this Act as follows:

". . ."

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The last sentence of Section 4(f) may cast doubt as to the period of time which the Legislature intended for a Certificate of Number to be valid. However, the first sentence of the same Section (4(f)) together with Section 17(a) reveal the intention of the Legislature to be that a Certificate of Number be valid for three years.

In Wood v. State, 133 Tex. 110, 126 S.W.2d 4, the Supreme Court used the following language in construing a statute:

"It is the settled law that statutes should be construed so as to carry out the legislative intent, and when such intent is once ascertained, it should be given effect, even though the literal meaning of the words used therein is not followed. Also, statutes should never be given a construction that leads to uncertainty, injustice, or confusion, if it is possible to construe them otherwise. . . ."

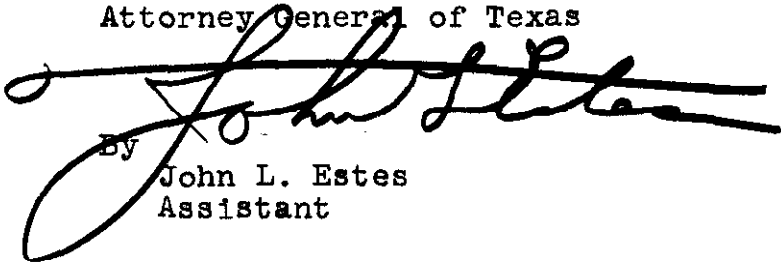
It is therefore the opinion of this office a three year period of validity was contemplated by the Legislature and that such a construction is the only reasonable construction that can be placed on the Act.

#### SUMMARY

The Certificates of Number of motorboats issued by the Texas Highway Department pursuant to House Bill 11, Acts of the 56th Legislature, Regular Session, 1959, Chapter 179, Page 369, are valid for a three year period.

Yours very truly,

WILL WILSON  
Attorney General of Texas

By   
John L. Estes  
Assistant

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APPROVED:

OPINION COMMITTEE  
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REVIEWED FOR THE ATTORNEY GENERAL  
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